

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CATHERINE BARTON *and* ZACHARY
ZAITZEFF,

Plaintiffs,

-v-

NORTHEAST TRANSPORT, INC., *and*
LAND-AIR EXPRESS OF NEW
ENGLAND, LTD.,

Defendants.

No. 21-CV-326 (KMK)

ORDER TO SHOW CAUSE

KENNETH M. KARAS, United States District Judge:

On January 24, 2022, the Court granted Defendant Northeast’s Motion To Dismiss. (Dkt. No. 38.) The Court dismissed Plaintiff’s claims without prejudice and gave Plaintiff 30 days to file a second amended complaint addressing the deficiencies identified in the Opinion & Order. (*Id.*)

Plaintiff did not file a second amended complaint within thirty days of the issuance of the Opinion & Order and has not yet filed a second amended complaint.

Accordingly, it is hereby:

ORDERED that Plaintiff shall show cause, by no later than March 24, 2022, as to why this case should not be dismissed for failure to prosecute. *See Armstrong v. Guccione*, 470 F.3d 89, 103 n.1 (2d Cir. 2006) (noting that “a federal district court has the inherent power to dismiss a case *sua sponte* for failure to prosecute” (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626 630–32 (1962))). The Court may dismiss this case without further notice in the event that good cause is not shown.

The Clerk of Court is directed to mail a copy of this Order to Plaintiff.

SO ORDERED.

DATED: February 24, 2022
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', is written over a horizontal line.

KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE